

FEB 14 2006

400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343 - Telephone  
(516) 742-4366 - Facsimile  
e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY  
& PRESSER**

# Fax

**To:** Examiner: Annan Q. Shang  
Group Art Unit: 2617  
Confirmation No.: 9980

**From:** John S. Sensny, Esq.

**Fax:** ~~703-872-5396~~ 571 273 8300 **Pages:** 7 (Including fax cover sheet)

**Phone:** **Date:** February 14, 2006

**Re:** Louis P. Herzberg, et al.  
US Serial No. 09/590,203  
Docket No.: YOR920000348US1 (13668)

**CC:**

## LETTER TO EXAMINER

Transmitted herewith are the following:

1. General Transmittal Letter (in duplicate);
2. Letter to Examiner;
3. Certificate of Transmission By Facsimile, dated February 14, 2006 (in duplicate).

**FOR:**

**Louis P. Herzberg, et al.**

**US Serial No. 09/590,203**

**Filing Date: June 8, 2000**

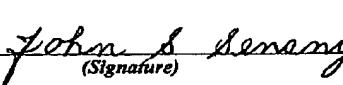
**Docket No.: YOR920000348US1 (13668)**

**CONFIDENTIALITY:** The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Julie Yanopoulos @ Ext. 569.

BEST AVAILABLE COPY

FEB 14 2006

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. <b>YOR920000348US1 (13668)</b>
Applicant(s): <b>Louis P. Herzberg, et al.</b>			
Application No. <b>09/590,203</b>	Filing Date <b>June 8, 2000</b>	Examiner <b>Annan Q. Shang</b>	Group Art Unit <b>2617</b>
<b>Invention: VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING</b>			
<b>CONFIRMATION NO. 9980</b>			
<p>I hereby certify that this <u>LETTER TO EXAMINER</u>  <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u>)</p> <p>on <u>February 14, 2006</u>  <small>(Date)</small></p>			
<p><u>John S. Sensny</u>  <small>(Typed or Printed Name of Person Signing Certificate)</small></p> <p></p>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

P18/REV02

FEB 14 2006

TRANSMITTAL LETTER  
(General - Patent Pending)

Docket No.

YOR92000348US1 (13668)

In Re Application Of: Louis P. Herzberg, et al.

Application No. 09/590,203	Filing Date June 8, 2000	Examiner Annan Q. Shang	Customer No. 23389	Group Art Unit 2617	Confirmation No. 9980
-------------------------------	-----------------------------	----------------------------	-----------------------	------------------------	--------------------------

Title: VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**LETTER TO EXAMINER**

in the above identified application.

- No additional fee is required.
- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. **50-0510/IBM** as described below.
  - Charge the amount of \_\_\_\_\_
  - Credit any overpayment.
  - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**


  
Signature

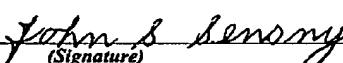
Dated: February 14, 2006

John S. Sensny  
Registration No. 28,757Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza - Suite 300  
Garden City, New York 11530  
(516) 742-4343

cc: JSS:jy

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____	
(Date)	
<i>Signature of Person Mailing Correspondence</i>	
<i>Typed or Printed Name of Person Mailing Correspondence</i>	

P16A/REV03

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			
Applicant(s): Louis P. Herzberg, et al.			
Application No. <b>09/590,203</b>		Filing Date <b>June 8, 2000</b>	Examiner <b>Annan Q. Shang</b>
Docket No. <b>Y0R920000348US1 (13668)</b>			
Invention: <b>VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING</b>			
CONFIRMATION NO. <b>9980</b>			
<p>I hereby certify that this <u>LETTER TO EXAMINER</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u> on <u>February 14, 2006</u> (Date)</p>			
<p><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate) </p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

BEST AVAILABLE COPY

FEB 14 2006

TRANSMITTAL LETTER  
(General - Patent Pending)Docket No.  
YOR920000348US1 (13668)

In Re Application Of: Louis P. Herzberg, et al.

Application No. 09/590,203	Filing Date June 8, 2000	Examiner Annan Q. Shang	Customer No. 23389	Group Art Unit 2617	Confirmation No. 9980
-------------------------------	-----------------------------	----------------------------	-----------------------	------------------------	--------------------------

Title: VIDEO ON DEMAND CONFIGURING, CONTROLLING AND MAINTAINING

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**LETTER TO EXAMINER**

in the above identified application.

- No additional fee is required.
- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 50-0510/IBM as described below.
  - Charge the amount of \_\_\_\_\_
  - Credit any overpayment.
  - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

*John S. Sensny*  
Signature

Dated: February 14, 2006

John S. Sensny  
Registration No. 28,757

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza - Suite 300  
Garden City, New York 11530  
(516) 742-4343

cc: JSS:jy

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

RECEIVED  
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 14 2006

Applicant(s): Louis P. Herzberg, et al.      Examiner: Annan Q. Shang  
Serial No.: 09/590,203      Art Unit: 2617  
Filed: June 8, 2000      Docket: YOR920000348US1 (13668)  
For: VIDEO ON DEMAND CONFIGURING, Dated: February 14, 2006  
CONTROLLING AND MAINTAINING

Confirmation No: 9980

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

LETTER

Dear Sir:

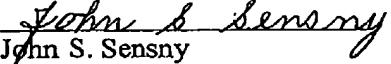
The undersigned attorney wishes to thank Examiner Shang for the courtesy of a telephone conference on February 13, 2006. During the conference, the Examiner noted that the Office Action of December 19, 2005 did not treat Claims 35 and 36. Furthermore, the Examiner indicated that he will issue a Supplemental Office Action treating Claims 35 and 36 and will reset the period for responding to the earlier Office Action.

---

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: February 14, 2006

  
John S. Sensny

BEST AVAILABLE COPY

If the Examiner believes that a telephone conference with Applicants' attorney would be advantageous to the disposition of this case, the Examiner is respectfully requested to telephone the undersigned.

Respectfully submitted,

*John S. Sensny*  
John S. Sensny  
Registration No. 28,757  
Attorney for Applicants

SCULLY, SCOTT, MURPHY & PRESSER, P.C.  
400 Garden City Plaza – Suite 300  
Garden City, New York 11530  
(516) 742-4343

JSS:jy

BEST AVAILABLE COPY